

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Thomas Daniel Rhodes,

Civil No. 04-176 (RHK/SRN)

Petitioner,

ORDER

v.

**Joan Fabian, Minnesota Commissioner
of Corrections,**

Respondent.

Although Petitioner's 25-page (7,881 word) Objections to the April 22, 2005 Report and Recommendation of Magistrate Judge Susan Richard Nelson clearly violates the word limit and certification requirement of Local Rules 7.1(c), (e) and 72.2(b), the Court is satisfied that the violation was unintentional. Accordingly, no sanctions will be imposed.

Upon all the files, records and proceedings herein, **IT IS ORDERED** that:

1. Respondent's Motion to Strike (Doc. No. 41) is **DENIED**; and
2. Respondent shall respond to Petitioner's Objections by June 30, 2005; said Response may contain the same number of pages and/or words as appearing in Petitioner's Objections.

Dated: June 15, 2005

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge